

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JUNIOUS NIELSEN,

Plaintiff,

v.

WALMART INC.,

Defendant.

ORDER

6:23-cv-06614 EAW

On February 22, 2024, the Court entered an Order setting an in-person appearance in this matter for March 7, 2024, at 10:00 a.m., to address plaintiff Junious Nielsen's ("Nielsen") alleged submission to the Court of a document containing a forged signature. (Dkt. 41). Nielsen has now filed a motion asking that the March 7th appearance be cancelled, and the instant case be dismissed, because he has settled his claims against defendant Walmart Inc. ("Walmart"). (Dkt. 42).

Regardless of any agreement Nielsen and Walmart have reached regarding the claims asserted in the instant matter, this Court has the inherent authority to investigate whether it has been the victim of fraud and, if so, to determine what sanctions, if any, should be imposed for that wrongdoing. And, as the Court explained in its prior Order, Nielsen has a number of other actions pending in this District. If he has committed a fraud on the Court, the Court may decide to impose sanctions that would impact his ability to pursue those additional matters. The resolution of Nielsen's claims against Walmart does not moot these issues.

Accordingly, Nielsen's motion is DENIED. Nielsen and counsel for Walmart continue to be required to appear **in-person** before the Court on **March 7, 2024, at 10:00 a.m.** at the United States Courthouse, 100 State Street, Rochester, New York 14620, as set forth in the Court's prior Order.

Plaintiff is cautioned that his failure to appear on March 7, 2024, may result in the imposition of sanctions, which may impact his ability to pursue the other lawsuits he has pending in this District.

SO ORDERED.



ELIZABETH A. WOLFORD
Chief Judge
United States District Court

Dated: February 29, 2024
Rochester, New York